

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

IN RE: FAIRFAX COUNTY CIRCUIT)	
COURT SUBPOENA SERVED ON UNITED)	
STATES DEPARTMENT OF COMMERCE)	Case No.: 1:24-mc-20
EMPLOYEE IN <i>MONIDIPA BANERJEE v.</i>)	
<i>JEAN-MARC BRISSON</i>)	(Formerly Part of Fairfax County
_____)	Circuit Court JA2024-118; CL2024-138)
)

REPLY IN SUPPORT OF MOTION TO QUASH

The time to oppose the Motion to Quash (“Motion”) has passed. *See* E.D. Va. Local Civ. R. 7(F)(1). Because the interested party has not opposed the Motion, the Court should deem the motion (and the arguments therein) conceded. *See, e.g., Fredricks v. Council of Inspectors Gen. of Integrity & Efficiency*, 2023 WL 7222107, at *6 (E.D. Va. Nov. 2, 2023) (citing *Intercarrier Commc’ns, LLC v. Kik Interactive, Inc.*, 2013 WL 4061259, at *1 (E.D. Va. Aug. 9, 2013)); *Polidi v. Mendel*, 2023 WL 5673116, at *3 (E.D. Va. Sept. 1, 2023) (citing *AB Staffing Sols., LLC v. Asefi Capital, Inc.*, 2022 WL 16555707, at *14 (E.D. Va. Oct. 31, 2022)). Moreover, any effort to oppose would have been futile, given Fourth Circuit binding precedent forbidding state court subpoenas upon federal officials. Accordingly, the Court should grant the Motion and quash the Fairfax County Circuit Court subpoena.

Dated: July 30, 2024

Respectfully submitted,

JESSICA D. ABER
UNITED STATES ATTORNEY

By: /s/
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ATTORNEY FOR THE UNITED STATES
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CERTIFICATE OF SERVICE

I hereby certify that on July 30, 2024, I caused a true and correct copy of the foregoing to be sent by U.S. mail to the following:

Clerk of the Circuit Court
Fairfax County Circuit Court
4110 Chain Bridge Road
Fairfax, Virginia 22030

Jacob Alzamora, Esq.
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_____/s/_____
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